IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2848 OF 2003
IN
ARBITRATION PETITION NO.47 OF 2003

M/s.Kotak Mahindra Finance Ltd. ....Petitioner

V/s.

M/s.Balchandra Shinde & Ors. ....Respondents

WITH

NOTICE OF MOTION NO.2855 OF 2003
IN
ARBITRATION PETITION NO.45 OF 2003

M/s.Kotak Mahindra Finance Ltd. ....Petitioner

V/s.

M/s.Balchandra Shinde & Ors. ....Respondents

WITH

NOTICE OF MOTION NO.2861 OF 2003
IN
ARBITRATION PETITION NO.46 OF 2003

M/s.Kotak Mahindra Finance Ltd. ....Petitioner

V/s.

M/s.Balchandra Shinde & Ors. ....Respondents

Mr.Mr.J.B. Fernandes i/b M/s.Mahesh Menon & Co. for the Plaintiff.

Mr.D.R. Dhurat, 1st Assistant to the Court Receiver present.

CORAM : S.J. VAZIFDAR, J.
DATED : 19TH OCTOBER, 2004.

P.C. :

1. By virtue of an order dated 4th March, 2004 the Receiver is bound to remove the seal and hand over possession of the vehicles to the Petitioner. The Receiver shall comply with this order forthwith. The Receiver is present in Court.

2. The vehicles have been sold by the Petitioner in accordance with the order dated 4th March, 2004. The Receiver therefore by virtue of the order itself stands discharged without passing accounts but subject to the payment of his costs, charges and expenses. A grievance is made that the Respondent is attempting to pressurise and mislead the R.T.O. regarding the Petitioner's right to sell the vehicles. If any such action is taken by the Respondent, it would be in contempt of the order dated 4th March, 2004.

3. All authorities including the R.T.O. are

directed to permit the sale of the Petitioner’s vehicles as directed by the order dated 4th March, 2004.

. Parties to act on an ordinary copy of this order duly authenticated by the Chamber Registrar/Court Stenographer of this Court.